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4 NIKOLA CORPORATION,
5 Plaintiff,
6 v.
7 TESLA INCORPORATED,
8 Defendant.
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10 Case No. [3:18-cv-07460-JD](#)
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12 **SCEDULING ORDER**
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14 The Court sets the following case management deadlines pursuant to Federal Rule of Civil
15 Procedure 16. The parties are advised to review and comply with the Court's Standing Order for
16 Civil Cases, Standing Order for Discovery in Civil Cases, and Standing Order for Civil Jury
17 Trials.
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Event	Deadline
Patent L.R. 3-1 and 3-2: Infringement Contentions and Related Document Disclosure	December 18, 2020
Patent L.R. 3-3 and 3-4: Invalidity Contentions and Related Document Disclosure	February 12, 2021
Patent L.R. 4-1: Exchange of Proposed Terms for Construction	February 26, 2021
Patent L.R. 4-2: Exchange of Preliminary Claim Constructors and Extrinsic Evidence	March 19, 2021
Patent L.R. 3-8: Damage Contentions by Nikola	April 2, 2021
Patent L.R. 4-3: Joint Claim Construction and Prehearing Statement	April 16, 2021
Patent L.R. 3-9: Responsive Damages Contentions by Tesla	May 7, 2021

United States District Court
Northern District of California

	Event	Deadline
1	Patent L.R. 4-4: Completion of Claim Construction Discovery	May 21, 2021
2	Patent L.R. 4-5(a): Opening Claim Construction Brief	June 4, 2021
3	Patent L.R. 4-5(b): Responsive Claim Construction	June 18, 2021
4	Patent L.R. 4-5(c): Reply Claim Construction Brief	June 25, 2021
5	Patent L.R. 4-6: Claim Construction Hearing and Tutorial	<u>Tutorial</u> : September 16, 2021 at 11:00 a.m. <u>Claim Construction</u> : September 30, 2021 at 11:00 a.m.
6	Patent L.R. 3-7: Advice of Counsel	30 days after service of Court's Claim Construction Ruling
7	Last Day to Move to Amend Pleadings or Add Parties	February 5, 2021
8	Close of Fact Discovery	November 19, 2021
9	Expert Disclosure (Initial)	January 7, 2022
10	Expert Disclosure (Rebuttal)	January 28, 2022
11	Reply Expert Reports	February 11, 2022
12	Close of Expert Discovery	March 18, 2022
13	Last Day to File Daubert and Dispositive Motions	April 22, 2022
14	Final Pretrial Conference	August 18, 2022
15	Jury Trial	September 5, 2022
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1 All dates set by the Court should be regarded as firm. Counsel may not modify these dates
2 by stipulation without leave of court. Requests for continuances are disfavored, and scheduling
3 conflicts that are created subsequent to the date of this order by any party, counsel or party-
4 controlled expert or witness will not be considered good cause for a continuance.

5 **IT IS SO ORDERED.**

6 Dated: November 23, 2020



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8 JAMES DONATO
9 United States District Judge
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